

REMARKS

A. *Status of the Application*

Claims 1-17, 20-29, and 32-39 are pending. Claims 15 and 25- 27 have been amended. No new matter was introduced. Claims 1-17, 20-29, and 32-39 remain pending.

B. *Section 101 Rejections*

Claims 15-17 and 20-26 stand rejected under 35 U.S.C. § 101 because the claim invention is allegedly directed to non-statutory subject matter. The Office contends that the claims fail to produce useful, concrete, and tangible results. *See* January 3, 2007 Office Action at page 2. Applicant respectfully traverses. However, in the spirit of cooperation, independent claims 15, 25, and 26 have been amended to include using integrals for image reconstruction. Support for the amendments may be found in the Specification and in the claims as-filed.

Claims 15, 25, and 26 have practical application that fall within the scope of patentable subject matter under § 101 and are useful and non-abstract. *See State Street Bank and Trust Co. v. Signature Fin. Group, Inc.*, 149 F.3d 1368 (Fed. Cir. 1998) and *In re Alappat*, 33 F.3d 1526 (Fed. Cir. 1994). The *State Street* and *Alappat* rules also apply to method claims. *AT&T Corp. v. Excel Communications Inc.* 172 F.3d 1352, 1357-58 (Fed. Cir. 1999) (“Whether stated implicitly or explicitly, we consider the scope of § 101 to the same regardless of form – machine or process – in which a particular claim is drafted.”). Applicant respectfully requests that the current rejection be withdrawn.

C. *Allowable Subject Matter*

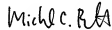
Applicant appreciates the Examiner’s indication of allowable subject matter of claims 1-14, 27-29, and 32-39. To the extent that any reasons for allowable subject matter state or suggest that patentability is based on features absent from the literal claim language, Applicant respectfully disagrees. The claims are believed to be allowable because all requirements of patentability are met and none of the references disclose, teach, or suggest the explicit elements recited within the claims.

Further, view of the amendments and comments of this response, Applicant respectfully submits that all pending claims are allowable. Applicant accordingly requests that all the current rejections be removed so that all the pending claims can pass to issuance together.

CONCLUSION

Applicant believes that these remarks fully respond to all outstanding matters for this application. Should the Examiner desire to sustain any rejections, the courtesy of a telephone conference between the Examiner, the Examiner's supervisor, and the undersigned attorney at 512-536-3018 is respectfully requested in advance.

Respectfully submitted,



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